

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELSTER SOLUTIONS, LLC , a Delaware
Limited Liability Company,
Plaintiff,

Plaintiff,

vs.

THE CITY OF SEATTLE, a municipal
corporation; SEATTLE CITY LIGHT, a publicly
owned utility; MUCKROCK FOUNDATION,
INC., a Massachusetts corporation; and PHIL
MOCEK, an individual

Defendant.

NO. 2:16-cv-00771

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE REGARDING
PRELIMINARY INJUNCTION**

TO: ALL PARTIES HEREIN AND TO THEIR COUNSEL OF RECORD

AND TO: CLERK OF THE ABOVE-ENTITLED COURT

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff Elster Solutions, LLC (“Elster”) moves this Court for temporary and preliminary injunctive relief against Defendant Seattle City Light (“SCL”) as follows:

- (i) A temporary restraining order enjoining SCL from releasing or otherwise disclosing any confidential financial, commercial and proprietary information, including without limitation any trade secret information, contained in documents Elster submitted to

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PLAINTIFF’S MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO SHOW
CAUSE REGARDING PRELIMINARY
INJUNCTION -1 (2:16-cv-00771)

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- 1 SCL in connection with SCL's RFP for "SCL-RFP3404, Advanced Metering
2 Infrastructure," to preserve the status quo until such time that a hearing can be held on
3 a preliminary and/or permanent injunction; and
- 4 (ii) an Order to Show Cause why a preliminary and/or permanent injunction should not
5 issue enjoining SCL not to release or disclose, with regard to a request made pursuant
6 to RCW Chapter 42.56, any confidential financial, commercial and proprietary
7 information, including without limitation any trade secret information, contained in
8 documents Elster submitted to SCL in connection with Elster's RFP for "SCL-
9 RFP3404, Advanced Metering Infrastructure."

10 The grounds for this motion are set forth in Elster's complaint, affidavits submitted in
11 support thereof, and the attached memorandum, which are incorporated herein by reference.
12 Elster may offer additional evidence at the hearing(s) on this motion.

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14 Dated: May 25, 2016

GORDON & REES LLP

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16 By: /s/Allen W. Estes
Allen W. Estes III WSBA # 34526

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18 By: /s/John V. Leary
John V. Leary, WSBA # 36345

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PLAINTIFF'S MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO SHOW
CAUSE REGARDING PRELIMINARY
INJUNCTION -2 (2:16-cv-00771)

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